IN FOR	THE NORTHERN	TES DISTRICT COURT DISTRICT OF ILLINOIS	FILED		
	EASTER	N DIVISION		DEC 7 - 2001	
THE CIT GROUP/BUSI CREDIT, INC.	NESS)		Judge I United	Robert W. Gettleman States District Court	
Pla	intiff,	Case No. 01 C 8876			
V.)				
JOHN PREPOLEC,	,))	Hon. Robert W. Gettlem. Courtroom 1703		DEC 1.2 according	
De	efendant.			DEC 1 3 2001	

NOTICE OF MOTION

PLEASE TAKE NOTICE that on Wednesday, the 12th day of December, 2001, at the hour of 9:15 a.m., we shall appear before the Hon. Robert W. Gettleman, of the United States District Court for the Northern District of Illinois, or any Judge sitting in his place and stead, in courtroom 1703, 219 South Dearborn Street, Chicago, Illinois, 60604, and then and there present Defendant's Motion For The Entry of an Agreed Order Extending The Time In Which The Defendant Has to Answer or Otherwise Plead to the Complaint, a copy of which is attached hereto and hereby served upon you.

CHAD H. GETTLEMAN, ESQ. (ARDC #944858)
MARK A. CARTER, ESQ. (ARDC #06199602)
ADELMAN, GETTLEMAN, MERENS,
BERISH & CARTER, LTD.
53 W. Jackson Blvd., Suite 1050
Chicago, IL 60604
312/435-1050

Counsel For the Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Notice of Motion and the documents referred to therein were served via facsimile upon the parties listed on the attached Service List this 7th day of December, 2001.

Mark A. Carter, Esq.

SERVICE LIST

E. KING POOR, ESQ. DAVID A. AGAY, ESQ. WINSTON & STRAWN 35 West Wacker Drive Chicago, IL 60601 312/558-5700 - Via Facsimile

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NOTES: Please see attached.

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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

FILED

DEC 7 - 2001

THE CIT GROUP/BU CREDIT, INC.	JSINESS)		Judge United	Roben W. Gettleman States District Court
	Plaintiff,)	Case No. 01 C 8876		
v. JOHN PREPOLEC,)	Hon. Robert W. Gettlema		DOGRETT
	Defendant.)			OEC 1 3 2001

MOTION FOR THE ENTRY OF AN AGREED ORDER EXTENDING THE TIME IN WHICH THE DEFENDANT MAY ANSWER OR OTHERWISE PLEAD TO THE COMPLAINT

NOW COMES, John Prepolec, named defendant herein ("Defendant"), by and through his attorneys, Adelman, Gettleman, Merens, Berish & Carter, Ltd., and for his motion for the entry of an agreed order extending the time in which the defendant has to answer or otherwise plead to the complaint, respectfully states as follows:

- 1. On or about November 16, 2001, Plaintiff commenced the above-captioned lawsuit against Defendant, and a summons regarding same was issued.
- 2. Pursuant to the summons and complaint, Defendant was to answer or otherwise plead to the complaint on or before December 10, 2001.
- 3. Counsel to Defendant was recently retained by Defendant and has filed an appearance on December 7, 2001, and since that time has endeavored to review the complaint and the alleged guaranty attached thereto.

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- 4. In light of these circumstances, Defendant requests that Defendant be granted time to file an answer or other responsive pleading, including but not limited to any motion based upon a defense of lack of jurisdiction over the person, improper venue, insufficiency of process or insufficiency of service of process, to the complaint in this case.
- 5. Plaintiff has agreed that Defendant may file an answer or other responsive pleading as requested herein on or before January 4, 2002.
- 6. Defendant has been diligent and no party in interest will be prejudiced by the extension sought herein.

WHEREFORE, John Prepolec, named defendant herein, prays that this Court enter an Order, in the form attached hereto, extending the time in which Defendant may answer or otherwise plead to the complaint in this case, and for such further relief as is just and equitable in the premises.

JOHN PREPOLEC

One of His Attorneys

CHAD H. GETTLEMAN, ESQ. (ARDC #944858) MARK A. CARTER, ESQ. (ARDC #06199602) ADELMAN, GETTLEMAN, MERENS, BERISH & CARTER, LTD. 53 West Jackson Blvd., Suite 1050 Chicago, Illinois 60604 (312) 435-1050

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

	, DA	MA L LANGE &					
THE CIT GROUCE CREDIT, INC.	IP/BUSINESS)					
	Plaintiff,))	Case No. 01 C 8876				
V.)					
JOHN PREPOL	EC,))	Hon. Robert W. Gettleman				
	Defendant.)					
	WHICH THE DEFE	NDANT M	NDING THE TIME IN IAY FILE AN ANSWER OR DING TO THE COMPLAINT				
Agreed Order E the Complaint (thereto; and the	xtending the Time in V the "Motion"); due and Court being fully advi	Which the I I sufficient sed in the p					
NOW,	THEREFORE, IT IS H	EREBY O	RDERED as follows:				
	The Motion be and is hereby granted;						
	to file an answer or any	y other resp n a defense f process or	nerein, is hereby granted until January 4, 2002, consive pleading, including but not limited to of lack of jurisdiction over the person, improped insufficiency of service of process, to the				
Dated:			ENTER:				
			JUDGE				

	- th
STIPULATED AND AGREED TO THIS	DAY OF DECEMBER, 2001

JOHN PREPOLEC

CIT GROUP/BUSINESS CREDIT, INC.

One of His Attorneys

One of Its Attorneys

CHAD H. GETTLEMAN, ESQ. ARDC #944858 MARK A.CARTER, ESQ. ARDC #06199602 ADELMAN, GETTLEMAN, MERENS, BERISH & CARTER, LTD. 53 W. Jackson Blvd. #1050 Chicago, IL 60604 Tel: 312/435-1050 E. KING POOR, ESQ. ARDC #3128425 DAVID A. AGAY, ESQ. ARDC #6244314 WINSTON & STRAWN 35 West Wacker Drive Chicago, IL 60601 Tel: 312/558-5600

COUNSEL FOR DEFENDANT

COUNSEL FOR PLAINTIFF